IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.53 OF 2005

IN

SUIT NO.77 OF 1995

Smt. Ratna Ram alias Ramchandra
Mahadik ... Plaintiff

V/s

Vinay alias Victor Ram Mahadik
& Ors. ... Defendants

Mr M.C. Hegde for plaintiff

Mr. F. Rego i/b J.E. Rodriques for defendants

Coram : A.S. Aguiar, J.

Date : 21st February,2005

P.C.

. This notice of motion is taken out by plaintiff for restoration of suit which was dismissed for default on 17/8/2004. Learned counsel Mr.Rego for defendants has no objection to restoration of suit to file. In para-4 of affidavit in support, plaintiff has explained the

circumstances under which the suit came to be dismissed for non-appearance of plaintiff and his advocate on the given date. Accordingly, notice of motion is made absolute in

terms of prayers clause (a) (b) and (d).Suit is restored to the file. Place suit No.77 of 1995 alongwith suit No.1481 of 1994 for cross examination of plaintiff witness on 1/3/2005.

(A.S.Aguiar,J)